

# Edwards & Angell<sup>LLP</sup>

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December 14, 2004

**VIA FACSIMILE (617) 227-4420**  
**AND FIRST CLASS MAIL**

John T. Bennett, Esq.  
Palmer & Dodge, LLP  
111 Huntington Avenue at Prudential Center  
Boston, MA 02199

Re: Subpoena in a Civil Case, Case No.: 04-10535 PBS, issued December 13, 2004  
Directed to Robert I. Adler

Dear Mr. Bennett:

We represent Robert I. Adler ("Adler") in connection with the above-referenced subpoena (the "Subpoena").<sup>1</sup>

Pursuant to F.R.C.P. Rule 45, we hereby object to the Subpoena document requests for the reasons stated below.

## **GENERAL OBJECTIONS**

Adler makes the following General Objections to the Subpoena. These General Objections are incorporated by reference into the response to each individual request for production of documents, to the extent applicable, whether or not stated in any individual response. Production of documents in response to the Subpoena's document requests is qualified by the objections, whether general or specific, asserted herein. Production of documents does

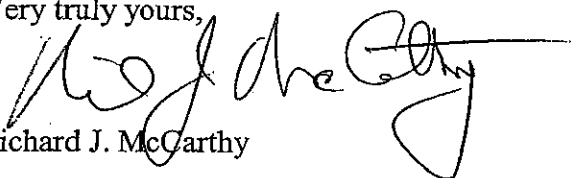
<sup>1</sup> Because the Subpoena document requests are substantially identical to the document requests contained in an earlier subpoena, issued December 1, 2004, please consider the objections stated herein also to be a supplement to the objections stated in the letter faxed to you on December 7, 2004.

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With respect to the taking of Mr. Adler's deposition, which you have noticed for December 20, 2004, Mr. Adler is not available on that date. We have offered two alternative dates. If you are not available on either date, please let me know so that we might propose additional alternative dates.

Very truly yours,



Richard J. McCarthy

RJM:clv